

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

ORGANIZATIONAL SESSION
FIFTY-EIGHTH LEGISLATURE

FIRST LEGISLATIVE DAY
THURSDAY, DECEMBER 2, 2004

Senate Chamber

At the hour of 9 a.m. on Thursday, December 2, 2004, the time established for the convening of the Organizational Session of the Fifty-eighth Idaho Legislature, the members elected to the Senate convened in the Senate Chamber of the Capitol in the city of Boise for an Organizational Session, President Pro Tempore Geddes presiding.

The following Certificate of Election was read by the Secretary of the Senate:

STATE OF IDAHO OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF ELECTION

I, BEN YSURSA, Secretary of State of the State of Idaho and legal custodian of the records of elections held in the State of Idaho, do hereby certify that the following is a full, true, and complete list of those elected to serve as members of the Senate of the First Regular Session of the Fifty-eighth Legislature, as shown by official records on file in my office:

DISTRICT	NAME
1	Shawn A. Keough(R)
2	Joyce M. Broadsword(R)
3	Michael "Mike" Jorgenson(R)
4	John W. Goedde(R)
5	Dick Compton(R)
6	Gary J. Schroeder(R)
7	Joe Stegner(R)
8	R. Skipper "Skip" Brandt(R)
9	Monty J. Pearce(R)
10	John T. McGee(R)
11	Brad Little(R)
12	Curt McKenzie(R)
13	Patti Anne Lodge(R)
14	Hal Bunderson(R)
15	John C. Andreason(R)
16	David Langhorst(D)
17	Elliot Werk(D)
18	Kate Kelly(D)
19	Mike Burkett(D)
20	Gerry Sweet(R)
21	Jack Noble(R)

22	Tim Corder, Sr.(R)
23	Tom Gannon(R)
24	Charles H. Coiner(R)
25	Clint Stennett(D)
26	Dean L. Cameron(R)
27	Denton Darrington(R)
28	J. Stanley Williams(R)
29	Bert C. Marley(D)
30	Edgar J. Malepeai(D)
31	Robert L. Geddes(R)
32	Melvin "Mel" Richardson(R)
33	Bart M. Davis(R)
34	Brent Hill(R)
35	Don M. Burtenshaw(R)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capital of Idaho, this Seventeenth day of November, in the year of our Lord, Two Thousand and Four, and of the Independence of the United States of America, the Two Hundred and Twenty-ninth.

/s/ BEN YSURSA
Secretary of State

The Certificate of Election was ordered filed in the office of the Secretary of the Senate.

Roll call showed all members except Senator Coiner, absent and formally excused by the Chair.

The Oath of Office was administered previously by Governor Kempthorne to President Pro Tempore Geddes. The Oath of Office was administered to the members of the Senate by President Pro Tempore Geddes.

Prayer was offered by Chaplain Don Hardenbrook, Associate Pastor, Nampa Church of the Brethren, Nampa, Idaho.

The Pledge of Allegiance was led by Rusti Horton, Assistant Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

December 1, 2004

The Honorable Robert L. Geddes
President Pro Tempore of the Senate
Idaho State Senate

Dear President Pro Tempore:

I have the honor to inform you that I have appointed Laird Noh of Kimberly, Idaho, to be Acting State Senator for Legislative District 24, Twin Falls County, State of Idaho. This appointment is effective Thursday, December 2, 2004, and Friday, December 3, 2004.

Sincerely,
/s/ Dirk Kempthorne
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that pursuant to the provisions of Section 59-917, *Idaho Code*, Charles Coiner, State Senator, District 24, Twin Falls County, State of Idaho, has nominated Laird Noh of Kimberly, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 24, Twin Falls County, State of Idaho.

NOW, THEREFORE, I, DIRK KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Laird Noh, to the office of State Senator, District 24, Twin Falls County, State of Idaho, for a term effective December 2 and December 3, 2004.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this First day of December, in the year of our Lord Two Thousand and Four and of the Independence of the United States of America, the Two Hundred and Twenty-ninth year.

/s/ BY THE GOVERNOR DIRK KEMPTHORNE
/s/ SECRETARY OF STATE BEN YSURA

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President Pro Tempore announced that the Oath of Office had been administered previously to Acting Senator Laird Noh, and he was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Moved by Senator Davis, seconded by Senator Stennett, that Senator Robert L. Geddes be elected President Pro Tempore of the Senate for the Fifty-eighth Idaho Legislature. The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Noh (Coiner), Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President Pro Tempore announced that the motion had prevailed and that he had previously received the Oath of Office.

On motion by Senator Davis, seconded by Senator Stennett, by unanimous voice vote Jeannine Wood was elected Secretary of the Senate for the Fifty-eighth Idaho Legislature.

The President Pro Tempore administered the Oath of Office to Secretary Wood.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Rules of the Senate and Joint Rules of the Senate and House as adopted by the Fifty-seventh Idaho Legislature were adopted as the temporary Rules of the Organizational Session of the Fifty-eighth Legislature of the State of Idaho.

At this time, the Senators selected their seats pursuant to Senate Rule 3(B). On request by Senator Davis, granted by unanimous consent, the seats presently occupied by the Senators were permanently assigned to them for the Fifty-eighth Idaho Legislature.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 9:40 a.m. until the hour of 3 p.m. of this day.

**RECESS
AFTERNOON SESSION**

The Senate reconvened at 3 p.m., pursuant to recess, with Acting President Cameron presiding at the request of President Pro Tempore Geddes.

Roll call showed all members present except President Pro Tempore Geddes, absent and formally excused on State business as Acting Governor; Acting Senator Noh, absent and formally excused by the Chair; and Senators Marley and Noble.

Prior to recess the Senate was at the Tenth Order of Business, Motions and Resolutions.

On request by Senator Davis, granted by unanimous consent, the following roster of majority and minority leadership was ordered spread upon the pages of the Journal:

Majority Leader Senator Bart Davis
Assistant Majority Leader Senator Joe Stegner
Majority Caucus Chairman Senator Brad Little

Minority Leader Senator Clint Stennett
Assistant Minority Leader Senator Mike Burkett
Minority Caucus Chairman Senator Edgar Malepeai

Senator Noble was recorded present at this order of business.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the following committee assignments were approved for the Fifty-eighth Idaho Legislature:

AGRICULTURAL AFFAIRS (9)
Williams, Chairman
Gannon, Vice Chairman

Burtenshaw	Stennett
Noble	Kelly
Coiner	
Corder	
Broadsword	

COMMERCE AND HUMAN RESOURCES (9)
Andreason, Chairman
Coiner, Vice Chairman

Cameron	Werk
Stegner	Malepeai
Goedde	
Compton	
Broadsword	

EDUCATION (9)
Goedde, Chairman
Noble, Vice Chairman

Schroeder	Burkett
Andreason	Marley
Gannon	
Pearce	
Jorgenson	

FINANCE (10)
Cameron, Chairman
Keough, Vice Chairman

Richardson	Marley
Lodge	Werk
Hill	
Pearce	
Sweet	
McGee	

HEALTH AND WELFARE (9)
Compton, Chairman
Broadsword, Vice Chairman

Darrington	Werk
Brandt	Kelly
Keough	
McGee	
Coiner	

JUDICIARY AND RULES (9)
Darrington, Chairman
Richardson, Vice Chairman

Bunderson	Burkett
Davis	Kelly
Lodge	
Sweet	
Jorgenson	

LOCAL GOVERNMENT AND TAXATION (9)
Bunderson, Chairman
Hill, Vice Chairman

Stegner	Malepeai
Sweet	Langhorst
McKenzie	
Williams	
Corder	

RESOURCES AND ENVIRONMENT (9)
Schroeder, Chairman
Pearce, Vice Chairman

Cameron	Stennett
Burtenshaw	Langhorst
Williams	
Brandt	
Little	

STATE AFFAIRS (9)
Burtenshaw, Chairman
McKenzie, Vice Chairman

Darrington	Stennett
Geddes	Malepeai
Davis	
Stegner	
Little	

TRANSPORTATION (9)
Brandt, Chairman
McGee, Vice Chairman

Keough	Marley
Geddes	Langhorst
Little	
McKenzie	
Noble	

On request by Senator Davis, granted by unanimous consent, Acting President Cameron appointed a committee consisting of Senator Darrington, Chairman, and Senators Keough and Malepeai to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

On request by Senator Davis, granted by unanimous consent, Acting President Cameron appointed a committee consisting of Senator Goedde, Chairman, and Senators McGee and Kelly to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

The committee appointed to wait upon the Governor returned and Chairman Darrington requested that the following message be spread upon the pages of the Journal:

December 2, 2004

Governor's Office
State Capitol
Boise, ID 83720

RE: GOVERNOR'S RESPONSE AND MESSAGE
TO THE IDAHO STATE SENATE

Dear Senators:

I am responding to the committee that was sent to my office to inform me that the Organizational Session of the Idaho State Senate has been successful and is now complete.

I am encouraged by the significant insight and judgment displayed by the citizens of this Great State, as each of you were chosen to represent them. I extend my Governor's welcome along with high expectations for a very efficient, productive, and short 2005 session.

I am confident as you lend your support to the President Pro Tempore, your leadership team, the committee chairmen and each other, that your expectations and mine for the first session of the Fifty-Eighth Legislature will be realized. I encourage each of you to visit my office as frequently as you desire. My open-door policy will support a very productive working relationship and continued success for the proud tradition of the Idaho Senate.

I wish each of you a safe return to your homes and families. My hope is that all of you will have a very joyous holiday season and a safe return again on January 10 of next year, so that together we can do great things for the State of Idaho.

Thank you in advance for your service and your commitment to Idaho.

Sincerely,
/s/ Governor Robert L. Geddes (Acting)

The committee was discharged.

The committee appointed to wait upon the House of Representatives returned and reported that they had conveyed the message to the House.

The committee was discharged.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Organizational Session of the Idaho Senate of the Fifty-eighth Legislature adjourned *Sine Die* at 3:25 p.m., Thursday, December 2, 2004.

SENATOR DEAN CAMERON, Acting President

Attest: JEANNINE WOOD, Secretary